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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/808,106	03/24/2004	Yoshinori Amagasa	032405.171	4166
25461	7590	06/19/2006	EXAMINER	
SMITH, GAMBRELL & RUSSELL, LLP 1230 PEACHTREE STREET, N.E. SUITE 3100, PROMENADE II ATLANTA, GA 30309-3592			NGUYEN, NAM V	
			ART UNIT	PAPER NUMBER
			2612	

DATE MAILED: 06/19/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 10/808,106	<b>Applicant(s)</b> AMAGASA, YOSHINORI	
	<b>Examiner</b> Nam V. Nguyen	<b>Art Unit</b> 2612	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 6/21/04.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-13 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-7, 9 and 13 is/are rejected.
- 7) ☒ Claim(s) 8 and 10-12 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 6/21/04 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>10/14/04</u> . | 6) <input type="checkbox"/> Other: _____  |

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### **DETAILED ACTION**

The application of Amagasa for a “keyless entry system and the method thereof” filed March 24, 2004 has been examined.

This application claims foreign priority based on the application 2003-79591 filed March 24, 2003 in Japan. Receipt is acknowledged of papers submitted under 35 U.S.C 119(a) – (d), which papers have been placed of record in the file.

A preliminary amendment has been entered and made of record. A new claim 13 is introduced.

Claims 1-13 are pending.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-2, 4-7, 9 and 13 are rejected under 35 U.S.C. 102(b) as being anticipated by Schramm (US# 4,425,597).

Referring to Claims 1, 9 and 13, Schramm discloses an electronic locking method and apparatus as recited in Claims 1, 9 and 13. See Figures 1-2 and 7-9 and respective portions of the apparatus and method.

Schramm discloses a method and a vehicle key-less entry system (i.e. an electronic locking system for a vehicle) (column 2 lines 5 to 27; see Figures 1-2), comprising:

door-handle operation detecting means (i.e. pull-up car door handle code input mechanical placement) (see Figures 7-9) for detecting whether or not a vehicle door handle (90H) (i.e. a pull-up vehicle door handle) is operated and an operational mode (i.e. initial operation) by detecting a speed (i.e. a proper time sequence) of the door handle (90H), for entering a cipher code (i.e. a code that generated by pulse generator 41) (column 7 lines 52 to column 8 line 17; see Figures 1-2 and 7-9);

checking means (48) (i.e. a decoder) for checking whether the entered cipher code (i.e. a code that generated by pulse generator 41) is equal to a prestored cipher code (i.e. a preset code in a code selector 46) based on the detected operational mode (column 8 lines 18 to 38; see Figures 1-2); and

locking controlling means (20) (i.e. unlock delay) for controlling a locking mechanism (24) to unlock a vehicle door when the entered cipher code is equal to the prestored cipher code (column 8 lines 39 to 52).

Referring to Claim 2, Schramm discloses the method and the vehicle key-less entry system according to claim 1, wherein the door-handle operation detecting means includes a

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contact switch (10S) (i.e. a switch) for detecting an operation of the door handle (90H) (column 7 lines 18 to 39; see Figures 7-9).

Referring to Claims 4 and 5, Schramm discloses the method and the vehicle key-less entry system according to claims 2 and 3, further comprising an escutcheon section (90A) (i.e. outside wall of the door handle) provided in the vehicle door, the switch (10S) being attached to the escutcheon section (90A) (column 7 lines 27 to 39; see Figures 7-9).

Referring to Claims 6-7, Schramm discloses the method and the vehicle key-less entry system according to claims 2 and 3, further comprising said escutcheon section having a link arm (90C) provided in the vehicle door, the switch (10S) being attached to the link arm (90C) (column 7 lines 27 to 39; see Figures 7-9).

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Schramm (US# 4,425,597) as applied to Claim 1, and in further view of Brooks (US# 5,204,672).

Referring to claim 3, Schramm discloses the method and the vehicle key-less entry system according to claim 1, however, Schramm did not explicitly disclose wherein the door-handle operation detecting means includes a non-contact switch for detecting an operation of the door handle.

In the same field of endeavor of keyless entry system, Brooks teaches a non-contact switch (402) (i.e. a magnetic reed switch) for detecting an operation of the door handle (400) (i.e. a door knob) (column 11 lines 4 to 19; see Figure 8) in order to provide power for activation of the receiver circuitry.

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to recognize using a magnetic reed switch taught by Brooks with a door opening actuator for input signals of Schramm because using a magnetic reed switch provide better sensing of the user activated or engaged the door knob in a keyless entry system.

#### *Allowable Subject Matter*

Claims 8 and 10-12 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Referring to claim 8, the following is a statement of reasons for the indication of allowable subject matter: the prior art fail to suggest limitations wherein the door-handle

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operation detecting means detects the speed of the door handle based on at least two operational speed patterns.

Referring to claim 10, the following is a statement of reasons for the indication of allowable subject matter: the prior art fail to suggest limitations that further comprising a step of entering an operational speed of the door handle as reference data.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### ***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Hanchett, Jr. (US# 3,751,718) discloses a programmable electric locking system.

Asher (US# 4,447,850) discloses an electronic lock.

Mochida et al. (US# 4,455,588) disclose an electronical unlocking method and system.

Amis et al. (US# 5,006,697) disclose a sequential seal.

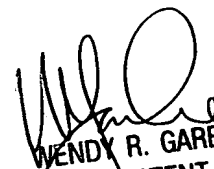
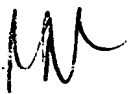
Garnault et al. (US# 5,844,470) disclose a device for controlling opening of a motor vehicle door.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nam V Nguyen whose telephone number is 571-272-3061. The examiner can normally be reached on Mon-Fri, 8:30AM - 5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wendy Garber can be reached on 571- 272-7308. The fax phone numbers for the organization where this application or proceeding is assigned are 571-273-8300 for regular communications.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Nam Nguyen  
June 7, 2006



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